

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE CARLTON SMITH,

No. C 13-3316 MEJ (pr)

Plaintiff,

**ORDER GRANTING MOTION TO  
DISMISS DEFENDANT ZORNES**

v.

L. STEPP, et al.,

(Docket No. 67)

Defendants.

Plaintiff Lawrence Carlton Smith filed a *pro se* civil rights action under 42 U.S.C. § 1983. On September 23, 2014, defense counsel notified the court that the Office of the Attorney General was informed that Defendant Zornes has been deceased since October 2012. On October 14, 2014, the court directed Plaintiff to locate Defendant Zornes' successors or representatives and file a motion for substitution within ninety days. Plaintiff has filed a motion to dismiss Defendant Zornes due to his inability to locate Defendant Zornes' successors or representatives. Plaintiff's motion is **GRANTED**. The Clerk of the Court is instructed to dismiss all claims against Defendant Zornes, terminate any deadlines associated with Defendant Zornes, and remove him from the caption of this case.

This order terminates Docket No. 67.

IT IS SO ORDERED.

DATED: November 3, 2014

  
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Maria-Elena James  
United States Magistrate Judge